

**Environmental Protection Agency**

**§ 52.2522**

Name of non-regulatory SIP revision	Applicable geographic area	State submittal date	EPA approval date	Additional explanation
		01/08/07	1/14/08, 73 FR 2156	Action includes approval of the following new motor vehicle emission budgets (MVEBs): 22.9 tons day (tpd) for 2009 and 9.5 tpd for 2018 for NO <sub>x</sub> and 12.9 tpd for 2009 and 7.5 tpd for 2018 for VOC.
State of West Virginia Transportation Conformity Requirements.	Entire State .....	04/12/07	5/2/08, 73 FR 24175	Memoranda of Understanding between EPA, FHWA, FTA, State of West Virginia, and six Metropolitan Planning Organizations.

[70 FR 7027, Feb. 10, 2005]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 52.2520, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and at www.fdsys.gov.

**§ 52.2521 Classification of regions.**

The West Virginia plan was evaluated on the basis of the following classifications:

Air quality control region	Pollutant				
	Particulate matter	Sulfur oxides	Nitrogen dioxide	Carbon monoxide	Photochemical oxidants (hydrocarbons)
Steubenville-Weirton-Wheeling Interstate .....	I	I	III	III	III
Parkersburg-Marietta Interstate .....	I	II	III	III	III
Huntington-Ashland-Portsmouth-Ironton Interstate .....	I	III	III	III	III
Kanawha Valley Intrastate .....	I	III	III	III	III
Southern West Virginia Intrastate .....	III	III	III	III	III
North Central West Virginia Intrastate .....	I	III	III	III	III
Cumberland-Keyser Interstate .....	I	I	III	III	III
Central West Virginia Intrastate .....	III	III	III	III	III
Allegheny Intrastate .....	III	III	III	III	III
Eastern Panhandle Intrastate .....	III	III	III	III	III

[37 FR 10902, May 31, 1972]

**§ 52.2522 Approval status.**

With the exceptions set forth below in this subpart, the Administrator approves West Virginia's plan for the attainment and maintenance of the national standards.

(a) The Administrator approves the deletion of the provisions found in section 3.03(b) of regulation X except as it

applies to the Rivesville plant, Monongahela Power Co.

(b) The Administrator hereby extends the interim limitation of 5.12 lbs. SO<sub>2</sub> per million BTU for the Harrison power plant until a permanent emission limitation is approved.

(c) The Administrator approves the amended Sections 3.01(2) and 3.03(1) of

**§ 52.2523**

West Virginia Air Pollution Control Commission Regulation X submitted January 25, 1978 and amended September 13, 1978, as a plan for attainment of the primary SO<sub>2</sub> NAAQS. The Administrator does not approve the State's control strategy for attainment and maintenance of the secondary SO<sub>2</sub> NAAQS submitted on those dates, so far as it applies to the Mitchell and Harrison power stations.

(d)–(f) [Reserved]

(g) The Administrator approves West Virginia's November 22, 1995 SIP submittal for the Follansbee, West Virginia PM-10 nonattainment area as fulfilling the section 189(a)(1)(B) requirement for a demonstration that the plan is sufficient to attain the PM-10 NAAQS.

(h) EPA disapproves the portion of 45 CSR 13 subsection 1 referencing major stationary sources which have not been issued a permit pursuant to 45 CSR 30 and section 11.2, submitted by the West Virginia Department of Environmental Protection on August 26, 1994, as revisions to the West Virginia SIP. These provisions do not meet the requirements of 40 CFR 51.160 for scope. EPA also disapproves 45 CSR 13 section 9, submitted by the West Virginia Department of Environmental Protection on August 26, 1994, as a revision to the West Virginia SIP. These provisions do not meet the requirements of 40 CFR 51.161 for public participation.

(i) [Reserved]

[38 FR 16170, June 20, 1973, as amended at 45 FR 39255, June 10, 1980; 45 FR 54051, Aug. 14, 1980; 45 FR 74480, Nov. 10, 1980; 47 FR 55396, Dec. 9, 1982; 59 FR 37688, July 25, 1994; 60 FR 33925, June 29, 1995; 61 FR 58482, Nov. 15, 1996; 65 FR 2046, Jan. 13, 2000; 68 FR 51464, Aug. 27, 2003; 71 FR 1697, Jan. 11, 2006; 71 FR 56884, Sept. 28, 2006]

**§ 52.2523 Attainment dates for national standards.**

The New Manchester and Grant Magisterial Districts in Hancock County are expected to attain and maintain the secondary sulfur dioxide (SO<sub>2</sub>) standards as soon as the Sammis Power Plant meets the SO<sub>2</sub> limitations in the Ohio State Implementation Plan.

[61 FR 16063, Apr. 11, 1996]

**40 CFR Ch. I (7–1–11 Edition)**

**§ 52.2524 Compliance schedules.**

(a) The requirements of § 51.262(a) of this chapter are not met since compliance schedules with adequate increments of progress have not been submitted for every source for which they are required.

(b) Federal compliance schedules. (1) The owner or operator of any boiler or furnace of more than 250 million Btu per hour heat input subject to the emission limitation requirements of West Virginia Administrative Regulations, Chapter 16–20, Series X (hereinafter regulation X), section 3.01(a) or section 3.03(a), shall notify the Administrator, no later than October 1, 1973, of his intent to meet the requirements of said regulation by utilizing low-sulfur fuel, stack gas desulfurization, or a combination of stack gas desulfurization and low-sulfur fuel.

(2) Any owner or operator of a stationary source subject to paragraph (b)(1) of this section who elects to utilize low-sulfur fuel, either alone or in combination with stack gas desulfurization, shall be subject to the following compliance schedule:

(i) November 1, 1973—Submit to the Administrator a projection of the amount of fuel, by types, that will be substantially adequate to enable compliance with the applicable regulation on June 30, 1975, and for at least one year thereafter.

(ii) December 31, 1973—Sign contracts with fuel suppliers for fuel requirements as projected above.

(iii) January 31, 1974—Submit a statement as to whether boiler modifications will be required. If modifications will be required, submit plans for such modifications.

(iv) March 15, 1974—Let contracts for necessary boiler modifications, if applicable.

(v) May 15, 1974—Initiate onsite modifications, if applicable.

(vi) February 28, 1975—Complete onsite modifications, if applicable.

(vii) June 30, 1975—Final compliance with the requirements of regulation X, section 3.01(a) or section 3.03(a).

(3) Any owner or operator of a stationary source subject to paragraph (b)(1) of this section who elects to utilize stack gas desulfurization, either